

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, February 23, 2010

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members David Duax, Kerry Kincaid, David Klinkhammer, Jackie Pavelski, Bob Von Haden, Thomas Vue, Dana Wachs and Andrew Werthmann. Absent: Council Members Larry Balow, Thomas Kemp and Berlye Middleton.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, February 23, 2010. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Wachs "to adopt the consent resolution". Said motion passed by unanimous vote.

LICENSES

The City Council considered a resolution granting a Class B Fermented Malt Beverage license and Class A Cabaret license to Eau Claire Children's Theatre, Inc., d/b/a Eau Claire Children's Theatre, 1814 Oxford Ave., Wayne Marek, agent. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Pavelski, Von Haden, Vue, and Wachs. Nay: Council Members Duax and Werthmann.

GRANTS

The Council considered a resolution authorizing the Fire Department to accept and appropriate a Department of Homeland Security grant in the amount of \$27,184 to purchase mobile and portable radios. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Duax "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution approving participation in and a pledge of support for the Broadband Technology Opportunities Program (BTOP) grant application. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Klinkhammer "to adopt said resolution". Said motion passed by unanimous vote.

EASEMENT

The City Council considered a resolution accepting a permanent easement and a temporary construction easement from Thomas Johnston for construction of a relief storm sewer to serve the Stein Boulevard and West MacArthur area. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Pavelski "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution releasing the utility easement crossing 3913 Scotch Pine Court. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

DEVELOPMENT BONDS – FTL SYSTEMS INCORPORATED

The City Council considered a resolution relating to industrial development revenue bond financing on behalf of FTL Systems Incorporated. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Werthmann "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Werthmann left the Council Chamber.

The Council considered a resolution authorizing a waiver of Section 66.1103(11)(b)1, Wisconsin Statutes, relating to competitive bid requirements, in connection with an industrial development revenue bond financing on behalf of FTL Systems Incorporated. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Wachs "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Werthmann returned to the Council Chamber.

CLAIREMONT AVENUE MEDICAL / EDUCATIONAL DISTRICT

The City Council considered a resolution approving the Clairemont Avenue Medical and Educational District Plan. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Duax "to adopt said resolution". Thereupon a motion was offered by Council Duax "to amend said resolution as follows:

1. In the 4th Whereas paragraph, delete the phrase 'and east of Stein Boulevard', and add ', and' at the end of the paragraph;
2. Add a new 5th Whereas paragraph to read:
'WHEREAS, all maps of areas south of West Clairemont Avenue in the report are for information only and do not constitute part of the planning recommendations for action'."

Said motion to amend was accepted by the mover as a friendly amendment. The Council then voted on the resolution as amended. Said motion passed by unanimous vote.

STREET PROJECTS

The Council considered a Final Resolution approving the project and levying special assessments for street, utility and sidewalk improvements on the following streets:

- Bellevue Avenue, Bergen Avenue to Starr Avenue (10-200)
- Omaha Street, Starr Avenue to 80 feet east of Wagner Avenue (10-209)
- Starr Avenue, Wagner Avenue to Birch Street (10-213)
- Wagner Avenue, Starr Avenue to 500 feet northeast (10-215)
- Wagner Avenue, Birch Street to Omaha Street (10-216)
- N. Hastings Way E. Frontage Road, Mountain View Place to Shale Ledge Road (10-205)

- Drummond Street, Gilbert Avenue to Summit Avenue (10-202)
- Eisenhower Street, Grant Avenue E. to Tyler Avenue E. (10-203)
- Grant Avenue E., Patton Street to Lexington Boulevard E. (10-204).

Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- Omaha Street, Starr Avenue to 80 feet east of Wagner Avenue (10-209)
- Starr Avenue, Wagner Avenue to Birch Street (10-213)
- Wagner Avenue, Starr Avenue to 500 feet northeast (10-215)
- Wagner Avenue, Birch Street to Omaha Street (10-216)
- N. Hastings Way E. Frontage Road, Mountain View Place to Shale Ledge Road (10-205)
- Drummond Street, Gilbert Avenue to Summit Avenue (10-202)
- Eisenhower Street, Grant Avenue E. to Tyler Avenue E. (10-203)
- Grant Avenue E., Patton Street to Lexington Boulevard E. (10-204).

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

ORDINANCES

There were no ordinances for action or introduction at the meeting.

ADJOURNMENT

A motion was offered by Council Member Duax and seconded by Council Member Werthmann “that this meeting does now adjourn.” Said motion passed by unanimous vote.

Adjournment: February 23, 2010

Time: 5:20 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk